

EXHIBIT H

Certified copy of Chronological Case Summary of
State of Indiana v. Lana R. Canen, Elkhart Circuit Court,
Cause No. 20C01-0309-MR-155

CASE SUMMARY

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State V Lana R Canen

Location: Elkhart Circuit Court
 Judicial Officer: Shewmaker, Terry C
 Filed on: 09/02/2004
 Original County Cause Number: C104MR118

CASE INFORMATION

Offense
 1. MURDER
 Arrest: 09/02/2004
Deg
 CNV
Date
 11/28/2002
Case Type: MR - Murder
Case Status: 01/14/2013 Decided
Related Cases
 20C01-0908-PC-00018 (Other)
Case Flags: Case ReOpened
Statistical Closures
 09/01/2005 Jury Trial

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number 20C01-0409-MR-00118
 Court Elkhart Circuit Court
 Date Assigned 09/02/2004
 Judicial Officer Shewmaker, Terry C

PARTY INFORMATION

State Plaintiff State of Indiana

Francisco, David Louis
 574-296-1888(W)
 Office of the Prosecuting
 Attorney
 301 S Main St, Suite 100
 Elkhart, IN 46516

Defendant Canen, Lana R
 Rockville Correctional Fac #152256
 811 W 50 N
 Rockville, IN 47872
 White Female
 DOB: 05/31/1959 Age: 45

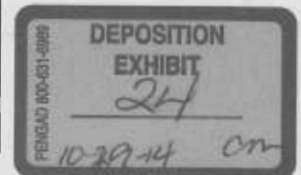
Wieneke, Cara Schaefer
 Retained
 317-839-0536(F)
 317-331-8293(W)
 Wieneke Law Office, LLC
 PO Box 188
 Plainfield, IN 46168
 Wieneke, Joel Craig
 Retained
 317-839-0536(F)
 317-718-7187(W)
 P O BOX 188
 PLAINFIELD, IN 46168

DATE

EVENTS & ORDERS OF THE COURT

INDEX

09/02/2004 Converted Event
 docket level comment: PM (C109PC018)
 09/02/2004 Converted Event
 Docket Note: VA PR02
 09/02/2004 Converted Event
 State files Information and Affidavit. BW ordered. Bond set at: NO BOND. pm 9-3-04 BW:
 SHF/ENTRY: ROBINSON pm (RJO? Y) JTS Minute Entry Date: 2004-09-02



CASE NO. 20C01-0409-MR-00118

09/07/2004	<p>Converted Event</p> <p><i>Court being advised Deft has been arrested on BW, cause set for initial hrg Sept. 9, 2004, at 8:30 A.M. (COPY) mv 9-8-04 ENTRY: SHF/GO PROB/VA/ROBINSON pm (RJO? N) JTS Minute Entry Date: 2004-09-07</i></p>
09/07/2004	<p>Converted Event</p> <p><i>State files Motion to Unseal Documents. Motion granted, per order. (ORDER/COPY) mv 9-8-04 ORDER: ROBINSON pm (RJO? Y) JTS Minute Entry Date: 2004-09-03</i></p>
09/09/2004	<p>Converted Event</p> <p><i>Calendar : INITIAL HEARING</i></p>
09/10/2004	<p>Indigent Counsel Appointed at County Expense</p> <p><i>Initial hrg held; PD appt'd: OD 11/11/04; pre-trial conf Oct. 7, 2004, at 11:00 A.M. Cause set for trial w/State vs. Andrew Royer on Jan. 24, 2005, at 8:30 A.M. Deft acknowledges trial date. (ORDER/COPY) mv 9-13-04 ORDER: PER VERIFICATION pm (RJO? Y) JTS Minute Entry Date: 2004-09-09</i></p>
09/20/2004	<p>Converted Event</p> <p><i>R. Brent Zook, PD, files written appearance on behalf of Deft & files Motion for Discovery and Request for Rule 404 and 405 Evidence. Court notes discovery is controlled by the local rules of court; Motion for Discovery to be set for hrg at the request of either counsel. (COPY) mv 9-21-04 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2004-09-16</i></p>
09/22/2004	<p>Converted Event</p> <p><i>SHERIFF OF ELKHART COUNTY RETURNS BW SERVED ON LANA CANEN by READING/ARRESTING. ljs (RJO? N) JTS Minute Entry Date: 2004-09-03</i></p>
10/07/2004	<p>Converted Event</p> <p><i>Calendar : PRE-TRIAL CONFERENCE</i></p>
10/11/2004	<p>Converted Event</p> <p><i>R. Brent Zook appears; Denise A. Robinson appears. PT conf held. Court notes this cause is set for trial Jan. 24, 2005, at 8:30 A.M. Cause set for further proceedings Nov. 18, 2004, at 8:30 A.M. Court notes this cause has previously been scheduled for trial. (COPY) mv 10-12-04 ENTRY: SHF/GO PROB/VA/ROBINSON/PD-ZOOK pm (RJO? N) JTS Minute Entry Date: 2004-10-07</i></p>
11/18/2004	<p>Converted Event</p> <p><i>Calendar : ACCEPTANCE OF PLEA</i></p>
11/19/2004	<p>Converted Event</p> <p><i>R. Brent Zook appears; Denise A. Robinson appears; Deft appears. No further proceedings occur. Court notes cause is set for trial Jan. 24, 2005 & Deft has acknowledged her trial date. (COPY) mv 11-24-04 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2004-11-18</i></p>
01/07/2005	<p>Converted Event</p> <p><i>R. Brent Zook, Christopher C. Crawford & Vicki E. Becker appear & jointly request the Court to reschedule this trial Aug. 8, 2005, at 8:30 A.M. as a 1st setting. Request is granted w/out obj; cause reset for trial Aug. 8, 2005, at 8:30 A.M. w/delay charged to Deft under C.R. 4. (COPY) mv 1-10-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-01-06</i></p>
01/24/2005	<p>Converted Event</p> <p><i>Calendar : JURY TRIAL</i></p>
07/26/2005	<p>Converted Event</p> <p><i>Vicki E. Becker appears & files State's Notice of Aggravating Circumstances Smylie v. State. Set for initial hrg July 28, 2005, at 8:30 A.M. (COPY) mv 7-26-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-07-25</i></p>

07/28/2005	<p>Converted Event</p> <p><i>Calendar : INITIAL HEARING</i></p>
07/29/2005	<p>Converted Event</p> <p><i>Deflt appears; Andrew Royer appears; R. Brent Zook appears; Christopher C. Crawford appears; Vicki E. Becker appears. Joint hrg is held w/respect to Ms. Canen & Mr. Royer. Initial hrg is held on notice of aggravating circumstances filed by the State pursuant to Smylie v. State. Court confirms trial date of Aug. 8, 2005, at 8:30 A.M. w/joint trial to be conducted with each Deflt. Court also confirms that each Deflt will employ the defense that they did not commit this offense & the Court also notes from counsel that discovery has been completed. (COPY) mv 8-1-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-07-28</i></p>
08/03/2005	<p>Converted Event</p> <p><i>Vicki E. Becker appears & files State's Notice of Intent to Use 404(b) Evidence & State's Witness and Exhibit List. Set for hrg Aug. 4, 2005, at 8:30 A.M. (COPY) mv 8-5-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-07-29</i></p>
08/04/2005	<p>Converted Event</p> <p><i>Calendar : MISCELLANEOUS MOTION</i></p>
08/05/2005	<p>Converted Event</p> <p><i>Joint status conf held w/Vicki E. Becker, R. Brent Zook (for Lana Canen) & Christopher C. Crawford (for Andrew Royer). By agreement, State of Indiana will amend the charge & parties waive initial hrg on amended charge against Andrew Royer resulting in both Mr. Royer & Ms. Canen being charged w/Felony Murder. Court notes this amended information is to be filed by the State w/out objection by any defense counsel. (COPY) mv 8-5-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-08-03</i></p>
08/05/2005	<p>Converted Event</p> <p><i>Vicki E. Becker appears & files State's Addendum to Its Witness and Exhibit List. The Court notes from the discussion of counsel w/the court it is the agreement of all counsel that this will simplify the issues for the jury so that the crime of Felony Murder will be applicable in each case. (COPY) mv 8-5-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-08-05</i></p>
08/08/2005	<p>Converted Event</p> <p><i>Vicki E. Becker appears & files State's Second Addendum to Its Witness and Exhibit List. (COPY) mv 8-8-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-08-08</i></p>
08/08/2005	<p>Converted Event</p> <p><i>R. Brent Zook appears & files Motion in Limine. Arguments heard. Motion in Limine granted without objection. (COPY) mv 8-8-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-08-08</i></p>
08/08/2005	<p>Converted Event</p> <p><i>Calendar : JURY TRIAL</i></p>
08/10/2005	<p>Converted Event</p> <p><i>R. Brent Zook appears & files Submission of Proposed Defendant's Instructions. (COPY) mv 8-10-05 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2005-08-10</i></p>
08/25/2005	<p>Converted Event</p> <p><i>Day 1 of Jury Trial. (ORDER/COPY) mv 8-25-05 ORDER: PD ZOOK/GO PROB/BECKER/ENTRY: VA/SHF pm (RJO? Y) JTS Minute Entry Date: 2005-08-08</i></p>
08/25/2005	<p>Converted Event</p> <p><i>Day 2 of Jury Trial. (ORDER/COPY) mv 8-25-05 ORDER: PD-ZOOK/GO PROB/BECKER/ENTRY: SHF/VA pm (RJO? Y) JTS Minute Entry Date: 2005-08-09</i></p>
08/25/2005	<p>Converted Event</p> <p><i>Day 3 of Jury Trial. VERDICT: Guilty of Felony Murder, a Felony; Judgment of Conviction</i></p>

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entered; PSI ordered; sentencing set for Sept. 1, 2005, at 8:30 A.M. (ORDER/COPY) mv 8-25-05 ORDER: PD-ZOOK/BECKER/GO PROB/ENTRY: SHF/VA pm (RJO? Y) | JTS Minute Entry Date: 2005-08-10

09/01/2005 Converted Event
Calendar :SENTENCING

09/01/2005 **Judgment**
Conversion
1. MURDER
Finding of Guilty

09/07/2005 Converted Event
Order of Commitment entered; 55 years DOC; 363 days credit; \$10,000 fine--suspended; costs; \$100 PD fee; Deft advised of her appellate rights; Cecelia J. McGregor appt'd appellate counsel. (ORDER/COPY) mv DISPOSED JD 106/115 9/8/05 ABSTRACT/ORDER: SHF/ORDER: VIC ASSIST/PD-ZOOK/PROB-GO/BECKER/ (DISPOSED: JT) (RJO? Y) | JTS Minute Entry Date: 2005-09-01

09/19/2005 Converted Event
Deft, by counsel, files Notice of Appeal. Clerk & Court Reporter ORDERED to prepare appropriate transcript. (ORDER/COPY) mv DISPOSED 9-20-05 ORDER: PD-ZOOK/MCGREGOR/BECKER/COURT REP Pm (RJO? Y) | JTS Minute Entry Date: 2005-09-13

09/27/2005 Converted Event
Notice Of Completion of Clerk's Record, as per Notice of Appeal filed 9-13-05, along with certified copy of CCS, mailed to Appeals Court Clerk, Indiana Attorney General, Becker/PD-Zook/McGregor. pm (RJO? N) | JTS Minute Entry Date: 2005-09-27

10/27/2005 Converted Event
ORDER entered appointing Nancy A. McCaslin as appellate counsel in place of Cecelia J. McGregor. (ORDER/COPY) mv DISPOSED 10-27-05 ORDER: PD-ZOOK/MCCASLIN/BECKER/COURT REP/MCGREGOR pm (RJO? Y) | JTS Minute Entry Date: 2005-10-27

12/09/2005 Converted Event
Clerk sends Notice of Completion of Transcript to Court of Appeals Clerk, by Cert Mail RRR, copy to Indiana Atty General, Becker/PD-Zook/N McCaslin pm (RJO? N) | JTS Minute Entry Date: 2005-12-12

12/12/2005 Converted Event
Reporter files Transcript with trial court clerk, "Notice of Filing of Transcript" to all parties of record. ah (RJO? N) | JTS Minute Entry Date: 2005-12-12

12/19/2005 Converted Event
Court notes receipt of Motion to Withdraw from C. J. McGregor. Court noting that it previously on 10/24/05 replaced C. J. McGregor as appellate counsel with Nancy A. McCaslin, now deems this filing moot. (COPY) mv DISPOSED 12-19-05 ENTRY: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2005-12-15

01/12/2006 Converted Event
Clerk mails Transcript by Cert Mail RRR to Court of Appeals per request received 1-12-06. pm 1-20-06 N MCCASLIN INFORMS CLERK THAT SHE FAILED TO RETURN THE EXHIBITS AND TABLE OF CONTENTS OF TRANSCRIPT. SHE WILL MAIL TO COURT OF APPEALS. PM (RJO? N) | JTS Minute Entry Date: 2006-01-12

01/24/2006 Converted Event
Nancy A. McCaslin appears & files Appellant's Brief. (COPY) mv DISPOSED 1-31-06 ENTRY: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2006-01-13

02/17/2006 Converted Event
Court Reporter files oversized exhibits 16 and 18 and copies of oversized exhibits 19, 43, 44,

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46, and 47 with the trial court clerk as requested by Atty. Monica Talbot. ah 2-21-06 MAILED EXHIBITS CERT MAIL TO COURT OF APPEALS pm (RJO? N) | JTS Minute Entry Date: 2006-02-17

03/31/2006 Converted Event
Nancy McCaslin files Appellant's Brief. (COPY) mv DISPOSED 3-31-06 ENTRY: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2006-03-28

07/26/2006 Converted Event
Court notes receipt of unofficial opinion of the Indiana Court of Appeals affirming the Def't's conviction. (COPY) mv DISPOSED 7-26-06 ENTRY: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2006-07-25

08/29/2006 Converted Event
Nancy A. McCaslin files Petition to Transfer. (COPY) mv DISPOSED (RJO? N) | JTS Minute Entry Date: 2006-08-24

09/28/2006 Converted Event
Court notes receipt of order of Randall T. Shepard, Chief Justice of the Indiana Supreme Court denying Appellant's Petition to Transfer Jurisdiction. (COPY) mv DISPOSED 10-3-06 ENTRY: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2006-09-22

03/08/2007 Converted Event
Court notes receipt of Notice of Entry of Appearance from Nina Porter & Motion for Separatee. Court directs Clerk to forward copy of filing to IDOC, Indiana Women's Prison. Attn: Janet O'Neal. Court directs IWP to respond in writing to the Motion for Separatee. Copy of filing to counsel of record. (COPY) mv 03/08/2007: ENTRY: PER VERIFICATION // ENTRY/COPY: IWP-N PORTER/IWP-O'NEAL/ McCASLIN ljs (RJO? N) | JTS Minute Entry Date: 2007-03-01

04/05/2007 Converted Event
Court notes receipt of written communication from Janet O'Neal, Supervisor of Classification, Indiana Women's Prison. Court issues letter. (COPY) mv DISPOSED 4-11-07 ENTRY: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2007-04-03

09/01/2009 Converted Event
Def't as a self-represented litigant, files Post-Conviction Relief Petition together w/Affidavit of Indigency; Clerk to forward a copy of said filing to all. Court now appoints the State PD to represent the Def't on her PCR. Court sets this matter for telephonic status conf Dec. 17, 2009 at 1:15 p.m. (COPY) cj (ALSO SEE C109PC018) 9-2-09 ENTRY/COPY: AS PER VERIFICTION BK (RJO? N) | JTS Minute Entry Date: 2009-08-27

09/10/2009 Converted Event
State of Indiana, by DPA Don E. Pitzer, II, files State's Answer to Petitioner's Petition for Post-Conviction Relief. (COPY) cj 9-11-09 ENTRY: AS PER VERIFICATION BK (RJO? N) | JTS Minute Entry Date: 2009-09-09

10/01/2009 Converted Event
J. Jeffreys Merryman, Jr., DPD, files written Appearance on behalf of Def't. Counsel for Def't further requests copy of the Chronological Case Summary and Pre-Sentence Investigation Report. Clerk directed to forward requested copies to DPD Merryman. (COPY) cj (RJO? N) | JTS Minute Entry Date: 2009-09-25

12/17/2009 Converted Event
Calendar : TELEPHONIC CONFERENCE

12/18/2009 Converted Event
State of Indiana appears by DPA David L. Francisco. Def't appears by Jeff Merryman, State PD, via telephone. Status conf is held. Hrg on Def't's PCR Petition set for July 15, 2010 at 1:30 p.m. Shf to transport Def't, per ORDER. (ORDER/COPY) cj 12-21-09 TO: SHF/ENTRY: PER VERIFICATION pm (RJO? Y) | JTS Minute Entry Date: 2009-12-17

03/22/2010 Converted Event

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CASE NO. 20C01-0469-MR-00116

	State PD files Motion to Withdraw Appearance and Notice of Appointment of Outside Counsel. Motion granted; the appearance of J. Jeffreys Merryman is withdrawn and Cara Schaefer Wieneke is appt'd as outside counsel, per ORDER. The expense of said appointment will be borne by the Office of the State PD. (COPY) cj DISPOSED (RJO? N) JTS Minute Entry Date: 2010-03-22
04/15/2010	Converted Event Cara Schaefer Wieneke files written Appearance on behalf of Deft together w/Motion for Continuance. Without objection by the State said Motion is granted; hrg on PCR scheduled for July 15, 2010 is cont'd and reset to Dec. 16, 2010 at 1:30 p.m. Shf to transport Deft, per ORDER. TO previously issued on Dec. 17, 2009 is vacated. (ORDER/COPY) cj (RJO? Y) JTS Minute Entry Date: 2010-04-09
05/05/2010	Converted Event Court notes receipt of written communication from the Clerk of the Indiana Court of Appeals advising an ORDER was entered on Apr. 15, 2010. (COPY) cj 5-5-10 ENTRY: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2010-04-20
07/15/2010	Converted Event Calendar : POST CONVICTION RELIEF
10/25/2010	Converted Event Deft/Petitioner, by counsel, files Petitioner's Second Motion for Continuance w/proposed form of Order and Motion to Reserve Evidence w/proposed form of Order. (COPY) cj ----- 10/25/2010 State of Indiana having no objection to either Motion, the Court now grants Petitioner's Second Motion for Continuance. Hrg on PCR Petition scheduled for Dec. 16, 2010 is cont'd and reset to June 30, 2011 at 1:30 p.m. Shf to transport Deft, per ORDER. Court now vacates TO previously issued Apr. 9, 2010. Court also grants Petitioner's Motion to Preserve Evidence, per ORDER. (ORDER/COPY) cj 10-26-10 ENTRY OF 10-20-10 AND ORDER TO 10-25-10: SHF/BECKER/SCHAEFER pm (RJO? Y) JTS Minute Entry Date: 2010-10-20
12/13/2010	Converted Event Deft/Petitioner, by counsel, files Motion to Compel Production of Client's File. The Court now sets this matter for hrg Dec. 20, 2010 at 2:45 p.m. (COPY) cj 12/13/2010: ENTRY: G PROB/BECKER/VA/C WIENEKE ljs (RJO? N) JTS Minute Entry Date: 2010-12-09
12/16/2010	Converted Event Calendar : POST CONVICTION RELIEF
12/20/2010	Converted Event Calendar : MOTION TO COMPEL
12/21/2010	Converted Event State of Indiana appears by DPAs David L. Francisco and Don E. Pitzer, II. Deft appears by Cara Schaefer Wieneke, her atty. Jeffrey A. Majerek, PD, appears. Arguments are heard w/respect to Deft's Motion to Compel Production of Client's File. By agreement, State of Indiana will furnish copies of verbatim witness statements and lab reports to counsel for Deft. With respect to police reports, Atty Wieneke will examine the file at the local Public Defender's Office and identify items she believes she needs to review. Upon identification of the same, she will review them with DPA Francisco to determine if any of them will be released by the State. If they are released, that will resolve the issue with respect to such documents and any add'l documents will be subject to an in-camera review w/counsel and the Court and a ruling w/respect to production. (COPY) cj 12-27-10 ENTRY: G OPROB/VA/BECKER/WIENEKE pm (RJO? N) JTS Minute Entry Date: 2010-12-20
02/14/2011	Converted Event Deft/Petitioner, by counsel, files Petitioner's Motion for Discovery together w/copy proposed form of Order. After reviewing the record in this matter and the filings, the Court now indicates it will grant said Motion in the absence of objection by any party or counsel of record w/in 10 days of receipt of this entry. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-02-14
02/15/2011	Converted Event ENTRY OF 2-14-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-

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Date	Event
02-15	
03/10/2011	Converted Event <i>Calendar : RETURN FILE TO JUDGE</i>
03/15/2011	Converted Event <i>DATE FILED: 03/14/2011 - State, by DPA Francisco, files State's Verified Objection to Petitioner's Motion for Discovery. (COPY) cm (RJO? N) JTS Minute Entry Date: 2011-03-15</i>
03/15/2011	Converted Event <i>The Court notes no objections have been registered to the Court's entry of 02/14/2011, the Court now grants Petitioner's Motion for Discovery. (ORDER/COPY) cm (RJO? N) JTS Minute Entry Date: 2011-03-15</i>
03/16/2011	Converted Event <i>ENTRY OF 3-15-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-03-16</i>
03/22/2011	Converted Event <i>Court being advised that neither counsel received the Court's entry of Feb. 14, 2011, the Court now vacates its ORDER entered Mar. 15, 2011 granting Petitioner's Motion for Discovery. The Court on its own motion sets this matter for telephonic status conf Apr. 14, 2011 at 1:15 p.m. (COPY) cj (RJO? Y) JTS Minute Entry Date: 2011-03-22</i>
03/29/2011	Converted Event <i>3-15-11 ENTRY/ORDER: SEE 3-22-11 ENTRY pm (RJO? N) JTS Minute Entry Date: 2011-03-29</i>
03/29/2011	Converted Event <i>3-22-11 ENTRY/3-15-11 ORDER: BECKER/SCHAEFER pm (RJO? N) JTS Minute Entry Date: 2011-03-29</i>
04/14/2011	Converted Event <i>Calendar : TELEPHONIC CONFERENCE</i>
04/14/2011	Converted Event <i>State of Indiana appears by DPA David L. Francisco. Deft appears by Cara Schaefer Wieneke, his atty, via telephone. Status conf held re: Deft/Petitioner's Motion for Discovery. Arguments of counsel are heard. Before granting any relief to Atty Wieneke, the Court will require her to exhaust investigative efforts with the PD Office to determine if in fact there was any investigative work done w/respect to finger prints. If it is determined there was no such work done by the PD Office, then over the objection of DPA Francisco the Court will permit Atty Wieneke to conduct scientific examination related to finger prints in a manner the parties can agree upon. With respect to the other evidence sought by Atty Wieneke, she has acquired it through other sources and DPA Francisco is prepared to deliver the same to Atty Wieneke, however, it is not necessary to do so. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-04-14</i>
04/15/2011	Converted Event <i>ENTRY OF 4-14-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-04-15</i>
05/06/2011	Converted Event <i>DATE FILED: May 5, 2011 - Deft/Petitioner, by counsel, files Notice to the Court and Renewed Motion for Discovery together w/proposed form of Order. The Court now sets this matter for hrg June 2, 2011 at 1:15 p.m. Court indicates it will permit telephonic participation. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-05-06</i>
05/09/2011	Converted Event <i>ENTRY OF 5-6-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-05-09</i>
06/02/2011	Converted Event

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Calendar : TELEPHONIC CONFERENCE

06/06/2011	<p>Converted Event</p> <p>HEARING HELD: June 2, 2011 - State of Indiana appears by DPA David L. Francisco. Deft appears by Cara Schaefer Wieneke, his atty. Cause comes on for status conf; Court determines matters are contested. Cause set for contested hrg on the discovery matters discussed this date will be the subject of the next scheduled hrg June 30, 2011 at 1:30 p.m. Hrg on PCR Petition is reset to Nov. 17, 2011 at 8:30 a.m. Shf to transport Deft, per ORDER. (ORDER/COPY) cj (RJO? N) JTS Minute Entry Date: 2011-06-06</p>
06/07/2011	<p>Converted Event</p> <p>6-6-11 ENTRY/TO: SHF(FAX/COURIER)/GO PROB/VA/BECKER/WIENEKE PM (RJO? N) JTS Minute Entry Date: 2011-06-07</p>
06/29/2011	<p>Converted Event</p> <p>FILING RECEIVED: June 23, 2011 - Deft/Petitioner, by counsel, files Petitioner's Motion for Continuance of Contested Discovery Hearing together w/proposed form of Order; said pleadings having been filed by cert mail, rrr, are deemed filed June 22, 2011 (date of mailing). (COPY) cj ----- COURT ACTION: June 27, 2011 - State of Indiana having no objection to the Petitioner's Motion for Continuance the Court now grants said Motion; contested hrg scheduled for June 30, 2011 is cont'd and reset to Nov. 17, 2011 at 1:30 p.m., to be held in conjunction w/PCR hrg scheduled on said date. (COPY) cj ----- DATE FILED: June 23, 2011 - Counsel for Deft/Petitioner files Notice of Change of Firm Address; said change of address is noted. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-06-29</p>
06/29/2011	<p>Converted Event</p> <p>ENTRY OF 6-29-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-06-29</p>
06/30/2011	<p>Converted Event</p> <p>Calendar : POST CONVICTION RELIEF</p>
06/30/2011	<p>Converted Event</p> <p>Calendar : CONTESTED TRIAL</p>
07/11/2011	<p>Converted Event</p> <p>Deft/Petitioner, by counsel, files courtesy copy of two Notices of Deposition. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-07-11</p>
07/12/2011	<p>Converted Event</p> <p>7-11-11 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2011-07-12</p>
08/29/2011	<p>Converted Event</p> <p>Deft/Petitioner, by counsel, files Notice of Deposition. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-08-29</p>
08/30/2011	<p>Converted Event</p> <p>8-29-11 ENTRY: PER VERIFICATION pm (RJO? N) JTS Minute Entry Date: 2011-08-30</p>
09/07/2011	<p>Converted Event</p> <p>On motion of DPA David L. Francisco, cause set for telephonic status conf Sept. 8, 2011 at 10:15 a.m. (COPY) cj (RJO? N) JTS Minute Entry Date: 2011-09-07</p>
09/08/2011	<p>Converted Event</p> <p>Calendar : TELEPHONIC CONFERENCE</p>
09/19/2011	<p>Converted Event</p> <p>HEARING HELD: September 8, 2011 - State of Indiana appears by DPA David L. Francisco. Deft appears by Cara Schaefer Wieneke, her atty, via telephone. Status conf is held; cause is reset for status conf Dec. 22, 2011 at 1:15 p.m. Court now vacates PCR scheduled Nov. 17, 2011, said hrg to be rescheduled at the status conf in Dec. (COPY) cju (RJO? N) JTS Minute Entry Date: 2011-09-19</p>

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09/20/2011	Converted Event <i>ENTRY OF 9-7-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-09-20</i>
09/20/2011	Converted Event <i>ENTRY OF 9-19-11: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2011-09-20</i>
12/22/2011	Converted Event <i>Calendar :TELEPHONIC CONFERENCE</i>
12/23/2011	Converted Event <i>HEARING HELD: December 22, 2011 - State of Indiana appears by DPA David L. Francisco. Defl appears by Cara Schaefer Wieneke, her atty, via telephone. Atty Wieneke will be filing a request to amend PCR Petition; said motion will be granted w/o objection. The present hrg on this matter, if any, is rescheduled to Aug. 16, 2012 at 1:30 p.m.: Shf to transport Defl, per ORDER. Cause set for telephonic status conf May 17, 2012 at 1:30 p.m. (ORDER/COPY) cj (RJO? Y) JTS Minute Entry Date: 2011-12-23</i>
12/28/2011	Converted Event <i>12-23-11 ENTRY/TO: SHF(FAX/COURIER)/BECKER/WIENEKE pm (RJO? N) JTS Minute Entry Date: 2011-12-28</i>
01/25/2012	Converted Event <i>Defl/Petitioner, by counsel, files Petitioner's Motion to Take Videotaped Deposition in Lieu of Live Testimony together w/proposed form of Order. The Court now indicates it will grant said Motion in the absence of objection by any party or counsel of record w/in 10 days of receipt of this entry. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-01-25</i>
01/27/2012	Converted Event <i>ENTRY OF 1-25-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-01-27</i>
02/09/2012	Converted Event <i>DATE FILED: 02/08/2012 - State, by DPA Francisco, files State's Opposition to Pet's Motion to Take Videotaped Deposition in Lieu of Living Testimony. (COPY) cm (RJO? N) JTS Minute Entry Date: 2012-02-09</i>
02/10/2012	Converted Event <i>ENTRY OF 2-9-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-02-10</i>
02/20/2012	Converted Event <i>Calendar :RETURN FILE TO JUDGE</i>
02/22/2012	Converted Event <i>FILING RECEIVED: February 16, 2012 - Defl/Petitioner, by counsel, files Petitioner's Reply to State's Objection to Petitioner's Motion to Take Videotaped Deposition in Lieu of Live Testimony; said pleading having been filed by cert mail, rrr, is deemed filed Feb. 14, 2012 (date of mailing). (COPY) cj ----- COURT ACTION: February 21, 2012 - After reviewing the record herein and the Defl/Petitioner's filing of Feb. 16, 2012, the Court notes the State of Indiana filed its Opposition to Petitioner's Motion to Take Videotaped Deposition in Lieu of Live Testimony of witness, Nina Porter. The Court denies the Defl/Petitioner's request at this time w/respect to the videotaped deposition and resets arguments on the matter from counsel at the May 17, 2012 telephonic status conf. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-02-22</i>
02/27/2012	Converted Event <i>ENTRY OF 2-22-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-02-27</i>
03/19/2012	Converted Event <i>Defl/Petitioner, by counsel, files Notice of Deposition. (COPY) cj (RJO? N) JTS Minute Entry</i>

CASE NO. 20C01-0409-MR-00118

Date: 2012-03-19

03/20/2012	<p>Converted Event</p> <p>ENTRY OF 3-19-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-03-20</p>
05/16/2012	<p>Converted Event</p> <p>FILING RECEIVED: May 11, 2012 - Deft, by counsel, files Motion for Re-Testing of Fingerprint Evidence; said pleading having been filed by cert mail, rrr, is deemed filed May 10, 2012 (date of mailing). (COPY) cj ----- COURT ACTION: May 16, 2012 - Court now sets Deft's Motion for Re-Testing of Fingerprint Evidence for telephonic status conf May 17, 2012 at 1:30 p.m. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-05-16</p>
05/17/2012	<p>Converted Event</p> <p>Calendar :TELEPHONIC CONFERENCE</p>
05/21/2012	<p>Converted Event</p> <p>HEARING HELD: May 17, 2012 - State of Indiana in court by DPA David L. Francisco. Deft in court by Cara Schaefer Wieneke, State DPD, via telephone. Cause coming on for status conf; cause reset for addtl status conf Aug. 2, 2012 at 1:15 p.m. Counsel are directed to determine whether or not the Indiana State Police will participate in the re-testing being requested. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-05-21</p>
05/22/2012	<p>Converted Event</p> <p>ENTRY OF 5-16-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-05-22</p>
05/22/2012	<p>Converted Event</p> <p>ENTRY OF 5-21-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-05-22</p>
06/26/2012	<p>Converted Event</p> <p>FILING RECEIVED: June 21, 2012 - Deft/Petitioner, by counsel, files Amendment to Petition for Post-Conviction Relief; said pleading having been filed by cert mail, rrr, is deemed filed June 18, 2012 (date of mailing). (COPY) cj ----- DATE FILED: June 25, 2012 - Deft/Petitioner, by counsel, files Petitioner's Verified Notice to Court and Renewed Motion for Re-Testing of Fingerprint Evidence. (COPY) cj ----- COURT ACTION: June 26, 2012 - After reviewing the Deft/Petitioner's filings of June 21, 2012 and June 25, 2012, the Court sets said matters for hrg Aug. 2, 2012 at 1:30 p.m. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-06-26</p>
06/26/2012	<p>Converted Event</p> <p>6-26-12 ENTRY: BECKER/WIENEKE pm (RJO? N) JTS Minute Entry Date: 2012-06-26</p>
07/26/2012	<p>Converted Event</p> <p>DATE FILED: July 26, 2012 - Deft/Petitioner, by counsel, files Petitioner's Witness and Exhibit List for PCR Evidentiary Hearing. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-07-26</p>
07/30/2012	<p>Converted Event</p> <p>ENTRY OF 7-26-12: AS PER VERIFICATION BK (RJO? N) JTS Minute Entry Date: 2012-07-30</p>
08/02/2012	<p>Converted Event</p> <p>Calendar :STATUS CONFERENCE</p>
08/08/2012	<p>Converted Event</p> <p>COURT ACTION: August 2, 2012 - State of Indiana appears by DPAs David L. Francisco and Don E. Pitzer, II. Deft appears by Cara Schaefer Wieneke, her atty. Status conf held; all remaining issues are set for contested hrg Aug. 16, 2012 at 1:30 p.m. (COPY) cj (RJO? N) JTS Minute Entry Date: 2012-08-08</p>
08/13/2012	<p>Converted Event</p>

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ENTRY OF 8-8-12: AS PER VERIFICATION BK (RJO? N) | JTS Minute Entry Date: 2012-08-13

08/16/2012 Converted Event
Calendar : POST CONVICTION RELIEF

08/16/2012 Converted Event
Deft. by counsel, withdraws Motion for Re-Testing of Fingerprint Evidence files 05/11/2012. (COPY) cm (RJO? N) | JTS Minute Entry Date: 2012-08-16

08/20/2012 Converted Event
HEARING HELD: August 16, 2012 - State of Indiana in court by DPA David L. Francisco. Deft in court in person and by Cara Schaefer Wieneke, her atty. Arguments of counsel are heard; evidence is submitted; Court takes this matter under advisement; parties grant the Court has 90 days from this date w/in which to decide the issues herein. Cause set for telephonic status conf Sept. 20, 2012 at 12:00 p.m. w/Atty Wieneke appearing by phone. Court notes DPA Francisco has not rested and will be submitting evidence to the Indiana State Police laboratory for examination. In the event the results of said exam are known before Sept. 20, 2012, the telephonic status conf may be moved forward. (COPY) cj (RJO? N) | JTS Minute Entry Date: 2012-08-20

08/21/2012 Converted Event
ENTRY OF 8-20-12: PROB/VA/BECKER/WIENEKE BK (RJO? N) | JTS Minute Entry Date: 2012-08-21

08/21/2012 Converted Event
ENTRY OF 8-16-12: PROB/VA/BECKER/WIENEKE BK (RJO? N) | JTS Minute Entry Date: 2012-08-21

08/27/2012 Converted Event
DATE FILED: August 23, 2012 - Deft/Petitioner, by counsel, Cara Schaefer Wieneke, Spacial Assistant to the State Public Defender, files via FAX, Petitioner's Verified Notice to the Court and Request for Immediate Ruling on Petition for Post-Conviction Relief and Release from Incarceration together w/proposed form of Order. (COPY) cj ----- COURT ACTION: August 24, 2012 - After reviewing the filing of Aug. 23, 2012, the Court notes it already has this matter under advisement and will rule in a prompt fashion. The Court further notes that the proposed Order submitted by Atty Wieneke purports to request that the PCR Petition be granted w/o further hrg and the Deft/Petitioner's conviction for murder in this cause reversed. Court further notes the proposed Order purports to order that the Deft/Petitioner be released from incarceration. The Court notes the original offense was the offense of murder for which there is no bond. If the Court grants the PCR Petition, the Deft/Petitioner would have her conviction overturned and be returned to the Elkhart County Jail and be held without bond until her re-trial in this action. Accordingly, the Court declines to order her immediate release from the IDOC at this time since the Court has this matter under advisement and will issue a prompt ruling. The Court directs that the State of Indiana respond in writing to the Deft/Petitioner's Verified Notice to the Court and Request for Immediate Ruling on Petition for Post-Conviction Relief and Release from Incarceration if they wish to do so. (COPY) cj (RJO? N) | JTS Minute Entry Date: 2012-08-27

08/27/2012 Converted Event
DATE FILED: August 27, 2012 - Court notes receipt of original Petitioner's Verified Notice to the Court and Request for Immediate Ruling on Petition for Post-Conviction Relief and Release from Incarceration together w/proposed form of Order which were previously filed by FAX on Aug. 23, 2012. (COPY) cj (RJO? N) | JTS Minute Entry Date: 2012-08-27

08/28/2012 Converted Event
8-27-12 ENTRIES: PER VERIFICATION pm (RJO? N) | JTS Minute Entry Date: 2012-08-28

09/10/2012 Hearing Journal Entry (Judicial Officer: Shewmaker, Terry C)
Hearing Date: 09/06/2012
State of Indiana in court by DPA David L. Francisco. Deft in court by Cara Schaefer Wieneke, State DPD, via telephone. Cause coming on for status conf. Status conf scheduled Sept 20, 2012 is vacated. State to respond within two weeks in writing to PCR. Court will rule within 90 days thereafter. (COPY) ah

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CASE NO. 20C01-0469-MR-00118

09/10/2012	Hearing Scheduling Activity <i>Telephonic Attorney Conference scheduled for 09/20/2012 at 12:00 AM was cancelled. Reason: Other.</i>
09/14/2012	Notice Issued to Parties <i>Entry of 9-10-12: Wieneke/Becker/Prob/VA bk</i>
09/20/2012	CANCELED Telephonic Attorney Conference (0:00 AM) (Judicial Officer: Shewmaker, Terry C) <i>Other Hrg was held on Sept 6, 2012</i>
09/21/2012	Response Filed File Stamp: 09/20/2012 <i>State of Indiana by DPA David L. Francisco, files State's Response to Petitioner's Request for Immediate Ruling on Petition for Post-Conviction Relief and Release From Incarceration. (COPY) cj</i>
09/22/2012	Notice Issued to Parties Sent To: Prosecutor Francisco, David Louis; Attorney Wieneke, Cara Schaefer <i>9-21-12 ENTRY RE: PCR pm</i>
09/25/2012	Appearance Filed File Stamp: 09/24/2012 For Party: Defendant Canen, Lana R <i>Joel C. Wieneke enters his Appearance on behalf of the Deft. (COPY) cm</i>
09/26/2012	Notice Issued to Parties Sent To: Prosecutor Francisco, David Louis; Attorney Wieneke, Cara Schaefer <i>9-25-12 Entry: Wieneke/Francisco bk</i>
10/12/2012	Case ReOpened
10/12/2012	Order Issued (Judicial Officer: Shewmaker, Terry C) Order Signed: 10/12/2012 <i>Court having taken this matter under advisement now issues ORDER. Petitioner's Amended Petition for Post Conviction Relief is hereby granted; Petitioner's conviction for Murder, a Felony, is vacated. Petitioner is to be returned to the Elkhart County Correctional Complex and held with no bond. Cause set for telephonic status conf Oct. 25, 2012 at 1:20 p.m. Trial scheduled for Dec. 17, 2012 at 8:30 a.m. (ORDER/COPY) cj</i>
10/12/2012	Amended Judgment (Judicial Officer: Shewmaker, Terry C) Reason: Post Conviction Relief Granted 1. MURDER Vacated (Trial De Novo)
10/12/2012	Hearing Scheduling Activity <i>Telephonic Attorney Conference scheduled for 10/25/2012 at 1:20 PM.</i>
10/12/2012	Hearing Scheduling Activity <i>Jury Trial scheduled for 12/17/2012 at 8:30 AM.</i>
10/16/2012	Notice Issued to Parties Sent To: Prosecutor Francisco, David Louis; Victim Advocate Victim Assistance; Attorney Wieneke, Cara Schaefer; Defendant Canen, Lana R <i>10-12-12 ENTRY/ORDER PM</i>
10/25/2012	Telephonic Attorney Conference (1:20 PM) (Judicial Officer: Shewmaker, Terry C) <i>Commenced and concluded</i>
10/31/2012	Hearing Scheduling Activity

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CASE NO. 20C01-040-MR-00118

Status Conference scheduled for 11/08/2012 at 8:30 AM.

10/31/2012	Administrative Event (Judicial Officer: Shewmaker, Terry C) File Stamp: 10/25/2012 <i>State of Indiana appears by DPAs David L. Francisco and Don E. Pitzer, II. Deft appears by Cara Schaefer Wieneke, State DPD, via telephone. Status conf is held: cause set for atty status hrg Nov. 8, 2012 at 8:30 a.m. and for trial acknowledgment. (COPY) cj</i>
11/02/2012	Administrative Event File Stamp: 10/29/2012 <i>Court reporter completes transcript of hrg of 08/16/2012. cm</i>
11/05/2012	Motion to Dismiss Filed File Stamp: 11/02/2012 Filed By: Prosecutor Francisco, David Louis
11/05/2012	Proposed Order Filed File Stamp: 11/02/2012 Filed By: Prosecutor Francisco, David Louis
11/05/2012	Appearance Filed File Stamp: 11/02/2012 For Party: Defendant Canen, Lana R <i>Cara Schaefer Wieneke files written Appearance on behalf of Deft (via FAX). (COPY) cj</i>
11/05/2012	Order Issued Order Signed: 11/02/2012 <i>Court holds hrg on Motion to Dismiss. State of Indiana appears by DPA David L. Francisco. Deft appears by Cara Schaefer Wieneke, her atty, via telephone. Court discloses that Judge Pro Tem Michael A. Christofeno was Chief DPA at the time that this incident occurred. Both the State of Indiana and the Deft, by counsel, waive any potential conflict. Court now enters Order of Dismissal. Deft ORDERED released by Elk Co Shf immediately. All hrgs presently scheduled, including jury trial, are now vacated. (ORDER/COPY) (PT M. Christofeno) cj DISPOSED</i>
11/05/2012	Hearing Scheduling Activity <i>Status Conference scheduled for 11/08/2012 at 8:30 AM was cancelled. Reason: Dismissal / Judgment.</i>
11/05/2012	Hearing Scheduling Activity <i>Jury Trial scheduled for 12/17/2012 at 8:30 AM was cancelled. Reason: Dismissal / Judgment.</i>
11/08/2012	CANCELED Status Conference (8:30 AM) (Judicial Officer: Shewmaker, Terry C) <i>Dismissal / Judgment</i>
11/09/2012	Notice Issued <i>10-31-12 ENTRY/11-5-12 ENTRY/11-2-12 ORDER: WIENEKE/FRANCISCO</i>
12/17/2012	CANCELED Jury Trial (8:30 AM) (Judicial Officer: Shewmaker, Terry C) <i>Dismissal / Judgment</i>
03/13/2013	Disposition Sent Electronically to Indiana State Police <i>Added By CHRIS Interface (DISP)</i>
01/16/2014	Clerk Administrative Event <i>CLERK RECEIVED CALL FROM ATTY REBECCA BUTLER-POWER REQUESTING A CERTIFIED COPY OF THE CCS FROM THE CASE---THIS WAS PREPARED AND SENT BY COURRIER TO ATTY BOXES IN ELKHART FOR ATTY REBECCA BUTLER -POWER ljs</i>

CLERK'S CERTIFICATE

STATE OF INDIANA,

ss:

ELKHART COUNTY,

I, **Wendy Hudson**, Clerk of the Elkhart Circuit Court within and for the

County of Elkhart and State of Indiana, the same being a Court of Record, having a Seal, do hereby certify that the above and foregoing is a full, true and complete and correct copy of the

CHRONOLOGICAL CASE SUMMARY

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Entries from 09/02/2004 Thru 01/16/2014

IN RE THE

STATE OF INDIANA

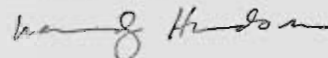
VS

LANA R. CANEN

CAUSE # 20C01-0409-MR-00118

As the same remains on file and appears of record in said Court, and of which files and records I am the legal custodian.

In WITNESS WHEREOF, I have
hereunto set My hand and affixed the
Seal of said Court the city of **Goshen**,
Indiana, this **23rd Day of October, 2014**.



Clerk Elkhart Circuit Court *L.H.*